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EXAMINER

HOSSAIN, FARZANA E

ART UNIT

PAPER NUMBER

2623

NOTIFICATION DATE

DELIVERY MODE

05/30/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 09/744,281	Applicant(s) AGASSE, BERNARD	
	Examiner FARZANA E. HOSSAIN	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-20, 22, 23, 27-38, 51-59, 61, 65, 76-87, 110-114, 116, 119, 127, 131, 135 and 141-144 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are 1-11,13-20,22,23,27-38,51-59,61,65,76-87,110-114,116,119,127,131,135 and 141-144.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/28/2008 has been entered.

Response to Amendment

2. This office action is response to communications filed 5/23/2007. Claims 1-11, 13-20, 22, 23, 27-38, 51-59, 61, 65, 76-87, 110-114, 116, 119, 127, 131, 135 and 141-144 are pending. Claims 1, 51 and 141 are amended. Claims 2-11, 13-20, 22, 23, 27-38, 52-59, 61, 65, 76-87, 110-114, 116, 119, 127, 131, 135 and 142-144 have been previously presented. Claims 12, 21, 24-26, 39-50, 60, 62-64, 66-75, 88-109, 115, 117-118, 120-126, 128-130, 132-134 and 136-140 are cancelled.

Response to Arguments

3. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, 15, 16, 28-30, 35, 38, 51-56, 76-78, 83, 86, 86, 111, 112, 114, 131, 135 and 141-142 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin et al (US 5,594,509) and hereafter referred to as "Florin") in view of Eyer et al (US 5,594,794 and hereafter referred to as "Eyer") and Harvey et al (US 4,694,490 and hereafter referred to as "Harvey").

Regarding Claims 1 and 51, Florin discloses a decoder and a method for controlling the display of a plurality of digital television channels in respective windows of a mosaic formation (Figures 33-35, Column 9, lines 30-39, Column 10, lines 53-59), wherein the decoder and method is configured to

receive at least one encrypted program or pay per view programs or premium programs (Column 9, lines 13-25, Figure 2, 66, Column 11, lines 30-32);

receive a mosaic comprising a plurality of unencrypted programs or general programming (Figures 33-35, Column 9, lines 8-20), including the at least one encrypted program in unencrypted form (Figure 33, Figure 34, Figure 35, 380);

display the mosaic (Figures 33-35);

receive a selection for the at least one encrypted program in unencrypted form in the mosaic (Figure 35, 380, 375); and

determine whether complete access rights exist for the selected program or using the descrambling circuitry to display the pay per view program from the preview (Figure 35);

wherein the decoder is configured to prohibit one of audio access or visual access to the selected program in the mosaic upon a determination that complete access rights are not available for the corresponding at least one encrypted program or if the PIN number is not entered correctly the pay per view program is not displayed to the viewer and only the preview is displayed to the viewer as the program is not descrambled (Column 21, lines 33-54, Column 23, lines 27-55, Column 9, lines 13-25). Florin does not explicitly disclose that wherein the one of only audio access and visual access is prohibited after a predetermined length of time based upon determination that complete access rights are not available for corresponding at least one encrypted program and wherein complete audio and visual access to the selected program is provided during the predetermined length of time. However, Florin is silent on the one of only audio access and visual access is prohibited after a predetermined length of time based upon determination that complete access rights are not available for corresponding at least one encrypted program.

In analogous art, Eyer discloses the audio access and visual access is prohibited after a predetermined length of time based upon determination that complete access rights are not available for corresponding at least one encrypted program (Column 5,

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lines 21-54, Column 10, lines 48-65) wherein complete audio and visual access to the selected program is provided during the predetermined length of time (Column 5, lines 21-54, Column 10, lines 48-65). In analogous art, Harvey discloses prohibiting only audio or only video of an encrypted program (Column 14, lines 1-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Florin to include the audio access and visual access is prohibited after a predetermined length of time based upon determination that complete access rights are not available for corresponding at least one encrypted program (Column 5, lines 21-54, Column 10, lines 48-65) wherein complete audio and visual access to the selected program is provided during the predetermined length of time (Column 5, lines 21-54, Column 10, lines 48-65) as taught by Eyer in order to improve security to prevent unscrupulous viewers to watch free previews for more than the maximum duration (Column 1, lines 28-57) as disclosed by Eyer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include prohibiting only audio or only video of an encrypted program (Column 14, lines 1-10) as taught by Harvey in order to improve provide alternative methods of transmission of signals for a more flexible system by the headend (Column 13, lines 54-67, Column 14, lines 1-10) as disclosed by Harvey which can provide one less step for the headend to complete prior to transmission.

Moreover, in *KSR International Co. Teleflex Inc.*, 127 S.Ct 1727, No. 04-1350, slip. op. at 12 (2007), the Court found that if all the claimed elements are known in the prior art then one skilled in the art could have combined the elements as claimed by

known methods with no change in their respective functions, and the combination would have yield predictable results to one of ordinary skill in the art at the time of the invention.

Regarding Claim 141, Florin a decoder for controlling the display of a plurality of digital television channels (Figures 33-35, Column 9, lines 30-39, Column 10, lines 53-59, Figure 2, 62), the decoder comprising:

means for receiving a first encrypted program and a second encrypted program or pay per view programs as there are multiple pay per view channels (Column 9, lines 13-25, Figure 2, 66, Column 11, lines 30-32);

means for displaying a mosaic comprising a plurality of unencrypted programs (Figures 33-35, Column 9, lines 8-20), including the first encrypted program and the second encrypted program in unencrypted form or multiple channels can be displayed in the mosaic including first and second pay per view channels displaying a first pay per view program and second pay per view program (Figures 33-35, Column 11, lines 30-32, Column 10, lines 53-59);

means for receiving a selection from a user for access to the first encrypted program displayed in unencrypted form in the mosaic or selecting the pay per view program (Figure 35, 375, 380); and

means for determining whether complete access rights exist for the selected first encrypted program using the descrambling circuitry to display the pay per view program from the preview (Figure 35);

wherein the decoder is configured to prohibit one of audio access and visual access to the unencrypted form of the selected first encrypted program displayed in the mosaic upon a determination that complete access rights are not available for the first encrypted program or if the PIN number is not entered correctly the pay per view program is not displayed to the viewer and only the preview is displayed to the viewer as the program is not descrambled (Column 21, lines 33-54, Column 23, lines 27-55, Column 9, lines 13-25). However, Florin is silent on the one of only audio access and visual access is prohibited after a predetermined length of time based upon determination that complete access rights are not available for corresponding at least one encrypted program wherein complete audio and visual access to the selected program is provided during the predetermined length of time. In analogous art, Eyer discloses the audio access and visual access is prohibited after a predetermined length of time based upon determination that complete access rights are not available for corresponding at least one encrypted program (Column 5, lines 21-54, Column 10, lines 48-65) wherein complete audio and visual access to the selected program is provided during the predetermined length of time (Column 5, lines 21-54, Column 10, lines 48-65). In analogous art, Harvey discloses prohibiting only audio or only video of an encrypted program (Column 14, lines 1-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Florin to include the audio access and visual access is prohibited after a predetermined length of time based upon determination that complete access rights are not available for corresponding at least one encrypted program (Column 5, lines 21-54, Column 10, lines

48-65) wherein complete audio and visual access to the selected program is provided during the predetermined length of time (Column 5, lines 21-54, Column 10, lines 48-65) as taught by Eyer in order to improve security to prevent unscrupulous viewers to watch free previews for more than the maximum duration (Column 1, lines 28-57) as disclosed by Eyer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include prohibiting only audio or only video of an encrypted program (Column 14, lines 1-10) as taught by Harvey in order to improve provide alternative methods of transmission of signals for a more flexible system by the headend (Column 13, lines 54-67, Column 14, lines 1-10) as disclosed by Harvey which can provide one less step for the headend to complete prior to transmission.

Moreover, in *KSR International Co. Teleflex Inc.*, 127 S.Ct 1727, No. 04-1350, slip. op. at 12 (2007), the Court found that if all the claimed elements are known in the prior art then one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yield predictable results to one of ordinary skill in the art at the time of the invention.

Regarding Claims 2 and 52, Florin, Eyer and Harvey disclose all the limitations of Claims 1 and 51 respectively. Florin disclose that the decoder receives access rights together with the audiovisual data for creating the mosaic as the descrambling circuitry descrambles premium programs and programs are not descrambled until the user purchase the program with a PIN (Figure 35, Column 21, lines 33-54, Column 23, lines

27-55, Column 9, lines 13-25). Eyer discloses that encrypted programs are received with access rights (Column 4, lines 55-67, Column 5, lines 1-38).

Regarding Claim 3, Florin, Eyer and Harvey disclose all the limitations of Claim 2. Florin discloses the decoder is configured to issue a request for full audio and visual access to a one of a channel and a program displayed in a window (Figures 33, Column 20, lines 49-53, Column 9, lines 13-27, Column 11, lines 29-40).

Regarding Claims 4 and 53, Florin, Eyer and Harvey disclose all the limitations of Claims 1 and 51 respectively. Florin discloses decoder is configured to generate a cursor for display with the mosaic formation, the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figures 33-35, 375, 380).

Regarding Claims 5 and 54, Florin, Eyer and Harvey disclose all the limitations of Claims 4 and 53 respectively. Florin discloses decoder if configured to generate audio information associated with a particular channel in response to the positioning of the cursor over the window displaying the particular channel (Column 20, lines 49-55).

Regarding Claims 6 and 55, Florin, Eyer and Harvey disclose all the limitations of Claims 5 and 54 respectively. Eyer discloses the decoder is configured to prohibit the generation of audio information according to the received access rights (Column 4, lines 55-67, Column 5, lines 1-38, Column 10, lines 48-65). Harvey discloses partial encryption (Column 14, lines 1-10).

Regarding Claims 7 and 56, Florin, Eyer and Harvey disclose all the limitations of Claims 6 and 55 respectively. Florin discloses displaying the mosaic and the access

rights of the particular program in the mosaic window to allow for a preview and prohibit the generation audio of the program (Figure 35). Eyer discloses the decoder is configured to prohibit the generation of audio information according to the received access rights as the user does not have access to the program after the preview period or longer than a predetermined length of time (Column 4, lines 55-67, Column 5, lines 1-54, Column 10, lines 48-65).

Regarding Claim 8, Florin, Eyer and Harvey disclose all the limitations of Claim 3. Florin discloses the decoder is arranged to issue a request when a cursor has been placed on that window (Figures 33-35, 380) to receive audio and video of the program by placing the cursor on the window after a predetermined period of time or immediately (Figures 33-34, 375, Column 20, lines 49-55).

Regarding Claims 15 and 111, Florin, Eyer and Harvey disclose all the limitations of Claim 4 and 53 respectively. Florin discloses turning the decoder to a channel displayed in the desired window upon selection of the desired window (Figures 33-35, Column 21, lines 16-32).

Regarding Claims 16 and 112, Florin, Eyer and Harvey disclose all the limitations of Claim 4 and 53 respectively. Florin discloses displaying comprising information regarding the program displayed in the desired window is generated upon selection of the desired window (Figure 38).

Regarding Claims 28 and 76, Florin, Eyer and Harvey disclose all the limitations of Claim 1 and 51 respectively. Florin discloses that the receiving means receive access

rights from a remote control handset associated with the decoder (Column 23, lines 40-45).

Regarding Claims 29 and 77, Florin, Eyer and Harvey disclose all the limitations of Claim 28 and 76 respectively. Florin discloses the decoder is configured to receive a PIN number from the remote control wherein the decoder authenticates the received PIN number and upon authentication of the received PIN number, permits reception of the access rights (Column 23, lines 40-55).

Regarding Claims 30 and 78, Florin, Eyer and Harvey disclose all the limitations of Claim 1 and 51 respectively. Florin discloses that the generation of at least a portion of video information in the window is prohibited in dependence on the access rights to one of a program and a channel displayed in that window or that generation of the PPV channel is prohibited based on whether the user has ordered the movie or else only the preview is displayed (Figure 35). See rejection of claims 1 and 51.

Regarding Claims 35 and 83, Florin, Eyer and Harvey disclose all the limitations of Claim 30 and 78 respectively. Florin discloses means for controlling the display of further video information instead of the at least video information as only the programs that are ordered and authorized are displayed (Column 21, lines 40-53, Column 23, lines 40-55).

Regarding Claims 38 and 86, Florin, Eyer and Harvey disclose all the limitations of Claims 1 and 51 respectively. Florin discloses decoder is configured to positionally control the relative positions of the windows with the mosaic formation based on access

rights to the programs displayed in the mosaic such as pay per view events (Column 21, lines 3-15, Column 22, lines 65-67, Column 23, lines 1-3).

Regarding Claims 87, Florin, Eyer and Harvey disclose all the limitations of Claim 86. See rejection of Claims 1, 38, 51 and 86.

Regarding Claim 114, Florin, Eyer and Harvey discloses all the limitations of Claim 53. Florin discloses that program guide display can be mosaic (Figures 33-35) and a forthcoming program schedule comprises a textual display of program schedule information (Figures 12-16).

Regarding Claims 131, Florin, Eyer and Harvey disclose all the limitations of Claim 86. Florin discloses positional control means for controlling the relative positions of the windows are controlled according to program characteristics of programs normally shown on the channels displayed in the windows (Column 22, lines 1-15).

Regarding Claim 135, Florin, Eyer and Harvey disclose all the limitations of Claim 86. Florin discloses a positional control means is arranged to maintain a window displaying a particular channel and program in a constant position in the mosaic formation (Figures 27-29, 365, Figure 30, 325, Figures 33-35).

Regarding Claim 142, Florin, Eyer and Harvey disclose all the limitations of Claim 141. Florin discloses a mosaic displaying programs including the first encrypted program and the second encrypted program in unencrypted form or multiple channels can be displayed in the mosaic displaying a first pay per view program and second pay per view program (Figures 33-35, Column 11, lines 30-32, Column 10, lines 53-59) and determining whether a user has complete access to the second encrypted program

based on the access rights associated with the user based on the user ordering the program (Figure 35, 380) and means for providing complete audio and visual access to the user to the unencrypted form of the second encrypted program, when access rights associated with the user are received for the second encrypted program (Column 23, lines 40-55). Eyer discloses means for determining whether a user is permitted complete access to the second encrypted program based on the access rights associated with the user as complete access rights are not available for the corresponding encrypted program (Column 5, lines 21-54, Column 10, lines 48-65) and means for providing complete audio and visual access to the user to the unencrypted form of the second encrypted program when access rights associated with the user are received for the second encrypted program (Column 4, lines 55-67, Column 5, lines 1-54, Column 10, lines 48-65). Harvey discloses permitting one of only audio access and only visual access to the version of encoded program that can be viewed by an unrestricted viewer of an encoded program when the user is not permitted complete access rights of the selected program (Column 14, lines 1-10).

6. Claims 9, 10, 57, 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Harvey as applied to claims 4 and 53 above, and further in view of Berstis et al (US 5,874,936 and hereafter referred to as "Berstis").

Regarding Claims 9 and 57, Florin, Eyer and Harvey disclose all the limitations of Claims 4 and 53 respectively. Florin discloses that premium programs are descrambled by the descrambling circuitry based on access rights (Column 9, lines 13-27, Column

11, lines 29-40). Florin, Eyer and Harvey are silent on means for automatically re-positioning the cursor in the event that the cursor is placed over the window displaying a program or channel to which full audio and visual access is prohibited. Berstis discloses means for automatically re-positioning the cursor in the event that the cursor is placed over the window that is not active or not accessible after performing a check to determine if the window is opened (Column 3, lines 5-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a means for automatically re-positioning the cursor in the event that the cursor is placed over the window that is not active after a predetermined period of time (Column 3, lines 5-39) as taught by Berstis in order to allow the user to navigate through multiple open windows for convenience to the user (Column 1, lines 21-60 as disclosed by Berstis).

Regarding Claims 10 and 58, Florin, Eyer, Harvey and Berstis disclose all the limitations of Claims 9 and 57 respectively. Florin discloses the mosaic (Figures 33-35). Berstis discloses repositioning the cursor after the expiration of a predetermined time or immediately (Column 3, lines 5-33).

7. Claims 11, 13, 59 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Harvey as applied to claims 4 and 53 above, and further in view of Hanaya et al (US 2003/0101452 and hereafter referred to as "Hanaya").

Regarding Claims 11 and 59, Florin, Eyer and Harvey disclose all the limitations of Claims 4 and 53 respectively. Florin discloses a cursor (Figures 33-35, 375, 380). Florin, Eyer and Harvey are silent on means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned. Hanaya discloses a system for displaying a plurality of channels and programs in respective windows (Figure 19). Hanaya discloses a system for displaying a plurality of channels and programs in respective windows (Figure 19). Hanaya discloses means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned (Page 9, paragraph 0147). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include means for changing an attribute of the cursor depending on the characteristic of at least one of a program and a channel displayed in a window over which the cursor is positioned such as the cursor is changed to different broadcast channel (Page 9, paragraph 0147) as taught by Hanaya in order to make it easier and more convenient for a user to view the programs selected or highlighted.

Regarding Claims 13 and 61, Florin, Eyer, Harvey and Hanaya disclose all the limitations of Claims 11 and 59 respectively. Florin discloses a cursor (Figures 33-35, 380). Hanaya discloses that the programs are accessed via highlights or colors or changing the color of the cursor depending on the characteristic of the program (Page 9, paragraph 0147).

8. Claims 14 and 110 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer, Harvey and Hanaya as applied to claims 11, 59 above, and further in view of Young et al (US 5,809,204 and hereafter referred to as "Young").

Regarding Claim 14 and 110, Florin, Eyer, Harvey and Hanaya disclose all the limitations of Claims 11 and 59 respectively. Hanaya discloses selecting programs via the channel (Page 9, paragraph 0147). Florin, Eyer, Harvey and Hanaya are silent on assigning the characteristic from a remote control handset associated with the decoder and means for assigning the characteristic in response to the received data. Young discloses means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include means for receiving data for assigning the characteristic from a remote control handset associated with the decoder (Figure 20) and means for assigning the characteristic in response to the received data (Figure 20) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

9. Claims 17, 18, 65, 119 and 127 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Harvey as applied to claims 1, 16 and 51 above, and further in view of Nijima et al (US 5,903,314 and hereafter referred to as "Nijima").

Regarding Claims 17, 18 and 65, Florin, Eyer and Harvey disclose all the limitations of Claim 1, 16 and 51 respectively. Florin discloses generating a cursor for display with the mosaic formation (Figures 33-35, 380), the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figure 33-35, 380), and means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Figures 33-35, 375, 380). Florin, Eyer and Harvey are silent on receiving the data by communicating with a communications center to obtain the information regarding the program displayed in the desired window. In analogous art, Nijima discloses a decoder (Figure 8, 2) for controlling the display of digital TV channels in respective windows of a mosaic formation (Column 2, lines 49-57, Figure 8, Figure 28, Figure 5, Figure 7, Figure 11), the decoder comprising means for generating a cursor for display with the mosaic formation (Figure 5, 201, Figure 20, 201), the cursor being selectively movable over the windows of the mosaic formation to enable selection of a desired window within the mosaic formation (Figure 5, 201, Figure 20, 201), and means for generating a display comprising information regarding the program displayed in the desired window upon selection of the desired window (Column 17, lines 4-23). Nijima discloses that the user can select and program and transmit to the communications center the request for information about the program or the program, the audio of the program regarding the program displayed in the desired window, data of a program (Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure 28, 311, 323).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include the transmit to the communications center the request for information about the program or the program, the audio of the program regarding the program displayed in the desired window, data of a program (Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure 28, 311,323) as taught by Niiijima in order to provide the most up to date information to the user and to maintain storage capacity on the receiver side.

Regarding Claim 119, Florin, Eyer and Harvey and Niiijima disclose all the limitations of Claim 65. Florin discloses that the generation of at least a portion of video information in the window is prohibited in dependence on the access rights to one of a program and a channel displayed in that window or that generation of the PPV channel is prohibited based on whether the user has ordered the movie or else only the preview is displayed (Figure 35).

Regarding Claim 127, Florin, Eyer and Harvey disclose all the limitations of Claim 86. Florin, Eyer and Harvey are silent o the relative positions of windows of the mosaic information are controlled in response to received positioning data for controlling relative positions of windows within mosaic formation. Niiijima discloses relative positions of windows of the mosaic information are controlled in response to received positioning data for controlling relative positions of windows within mosaic formation (Column 20, lines 37-46, Column 2, lines 48-67, Column 3, lines 1-14, Column 6, lines 35-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include the transmit to the

communications center the request for information about the program or the program, the audio of the program regarding the program displayed in the desired window, data of a program (Column 32, lines 55-67, Column 33, lines 1-29, Figure 27, 311, Figure 28, 311,323) as taught by Nijima in order to provide the user with an array of positions of the mosaic so that the user can customize the screen if the user chooses (Column 3, lines 1-26) as disclosed by Nijima.

10. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer, Harvey and Nijima as applied to claims 18 above, and further in view of Townsend et al (WO 96/37996 and hereafter referred to as "Townsend").

Regarding Claim 19, Florin, Eyer, Harvey and Nijima disclose all the limitations of Claim 18. Florin, Eyer, Harvey and Nijima are silent on means for dialing up the communications to supply a request for information regarding the program. Townsend discloses means for dialing up the communications center to supply a request for the information regarding the program displayed in the desired window (Figure 1, 7, Figure 12). Therefore, it would have been obvious at the time the invention was made to modify the combination to include means for dialing up the communications center to supply a request for the information regarding the program displayed in the desired window (Figure 1, 7, Figure 12) as taught by Townsend in order to simplify user control and to make the control more user friendly (Page 5, lines 2-7) as disclosed by Townsend.

11. Claims 20, 22 and 113 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Harvey as applied to claims 4 and 53 above, and further in view of Young.

Regarding Claims 20 and 113, Florin, Eyer and Harvey disclose all the limitations of Claims 4 and 53 respectively. Florin displays EPG and selection of time (Figures 12-16). Florin, Eyer and Harvey are silent on means for generating a display comprising a schedule with forthcoming programs of at least one digital TV channel in respective windows. Young discloses a means for generating a display comprising a schedule with forthcoming programs of at least one digital TV channel in respective windows or a displaying of forthcoming program schedule for the channel displayed in the desired window or cell (Figure 7, 58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include means for generating a display comprising a forthcoming program schedule for the channel displayed in the desired window upon selection upon selection of the desired window (Figure 7, 58) as taught by Young in order to allow easier access for program listings to record on a VCR including future times (Column 1, lines 13-25) as disclosed by Young.

Regarding Claim 22, Florin, Eyer, Harvey and Young discloses all the limitations of Claim 20. Florin discloses that program guide display can be mosaic (Figures 33-35) and a display with textual display of program schedule information (Figures 12-16). Young discloses that the forthcoming program schedule which is in a textual display (Figure 7).

12. Claims 23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer, Harvey and Young as applied to claims 20 above, and further in view of Matthews, III (US 5,815,145 and hereafter referred to as "Matthews").

Regarding Claim 23, Florin, Eyer, Harvey and Young discloses all the limitations of Claim 20. Florin discloses that program guide display can be mosaic with pictorial images of program schedule information (Figure 5, Figure 20). Young discloses that the forthcoming program schedule (Figure 7). Florin, Eyer, Harvey and Young are silent on a forthcoming schedule displays plurality of pictorial images associated with respective forthcoming programs in respective windows of mosaic information. Matthews discloses a forthcoming schedule displays plurality of pictorial images associated with respective forthcoming programs in respective windows of a mosaic formation (Figure 4, Column 6, lines 35-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a forthcoming schedule displays plurality of pictorial images associated with respective forthcoming programs in respective windows of a mosaic information (Figure 4, Column 6, lines 35-63) as taught by Matthews in order to provide the user with videos of all programs in an EPG (Column 6, lines 35-63) for convenience (Column 2, lines 33-40) as disclosed by Matthews as well as aesthetically pleasing to the users so that they can decide on future programs as well.

Regarding Claim 27, Florin, Eyer, Harvey, Young and Matthews disclose all the limitations of Claim 23. Matthews discloses that the plurality of pictorial images comprises video footage (Figure 4).

13. Claims 31, 33, 36, 56, 79, 84 and 116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Harvey as applied to claims 30 and 78 above, and further in view of Matthews.

Regarding Claims 31 and 79, Florin, Eyer and Harvey disclose all the limitations of Claims 30 and 78. Florin, Eyer and Harvey are silent on a picture is displayed in the window instead of at least the portion of video information. In analogous art, Matthews discloses a picture is displayed in the window instead of at least the portion of video information (Column 6, lines 38-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a forthcoming schedule displays plurality of pictorial images associated with respective forthcoming programs in respective windows of a mosaic information (Figure 4, Column 6, lines 35-63) as taught by Matthews in order to provide the user with preview media information of all programs in an EPG (Column 6, lines 35-63) for convenience (Column 2, lines 33-40) as disclosed by Matthews as well as aesthetically pleasing to the users so that they can decide on future programs as well as videos may not be available.

Regarding Claim 33, Florin, Eyer, Harvey and Matthews disclose all the limitations of Claim 31. Matthews discloses the picture comprises an image associated with the program displayed in the window (Column 6, lines 38-44).

Regarding Claims 36 and 84, Florin, Eyer and Harvey disclose all the limitations of Claim 35 and 83 respectively. Florin, Eyer and Harvey are silent on that the further video information is promotional video information or preview information. Matthews discloses the further video information is promotional video information or preview information (Column 6, lines 38-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include further video information is promotional video information or preview information (Column 6, lines 38-63) as taught by Matthews in order to provide the user with preview media information of all programs in an EPG (Column 6, lines 35-63) for convenience (Column 2, lines 33-40) as disclosed by Matthews as well as aesthetically pleasing to the users so that they can decide on future programs as well as videos may not be available.

Regarding Claim 116, Florin, Eyer and Harvey discloses all the limitations of Claim 53. Florin discloses that program guide display can be mosaic with pictorial images of program schedule information and forthcoming schedule (Figures 12-16) as the user can select the time by scrolling (Figure 16). Florin, Eyer and Harvey are silent on a forthcoming schedule displays plurality of pictorial images associated with respective forthcoming programs in respective windows of a mosaic formation. Matthews discloses a forthcoming schedule displays plurality of pictorial images

associated with respective forthcoming programs in respective windows of a mosaic formation (Figure 4, Column 6, lines 35-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a forthcoming schedule displays plurality of pictorial images associated with respective forthcoming programs in respective windows of a mosaic information (Figure 4, Column 6, lines 35-63) as taught by Matthews in order to provide the user with videos of all programs in an EPG (Column 6, lines 35-63) for convenience (Column 2, lines 33-40) as disclosed by Matthews as well as aesthetically pleasing to the users so that they can decide on future programs as well.

14. Claims 32, 80 and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer, Harvey and Matthews as applied to claims 31 and 79 above, and further in view of Morales (US 5,663,757).

Regarding Claims 32 and 80, Florin, Eyer, Harvey and Matthews disclose all the limitations of Claims 31 and 79 respectively. Florin, Eyer, Harvey and Matthews are silent on logos of channels. Morales discloses that a picture comprise a logo associated with a channel displayed in the window (Figure 3, 10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a picture comprising a logo associated with a channel displayed in the window (Figure 3, 10) as taught by Morales in order to provide the user with easier channel selection as the TV networks may have different channels in area

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counties or an out of town visitor in a hotel (Column 5, lines 10-25) as disclosed by Morales.

Regarding Claim 81, Florin, Eyer, Harvey, Matthews and Morales disclose all the limitations of Claim 79. Matthews discloses the picture comprises an image associated with the program displayed in the window (Column 6, lines 38-44).

15. Claims 34, 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Harvey as applied to claims 30 and 78 above, and further in view of Balakrishnan et al (US 2001/0052135 and hereafter referred to as "Balak").

Regarding Claims 34 and 82, Florin, Eyer and Harvey disclose all the limitations of Claim 30 and 78 respectively. Florin, Eyer and Harvey are silent on an advertisement. Balak discloses that advertisements can be seen in a mosaic formation (Page 2, paragraph 0018). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include means for controlling the display of an advertisement in the window instead of a video information (Page 2, paragraph 0018) as taught by Balak in order to provide users target commercials of their own choosing (Page 1, paragraphs 0001-0003) as disclosed by Balak.

16. Claims 37 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Harvey as applied to claims 1 and 51 above, and further in view of Kahn (US 5,978,649).

Regarding Claim 37 and 85, Florin, Eyer and Harvey disclose all the limitations of Claims 1 and 51 respectively. Florin, Eyer and Harvey are silent on generating a message due to lack of access rights when a cursor is on a channel. Kahn discloses means to generating message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include a means to generating a message information a user of the access rights of a channel in the event of placing a cursor on the channel on the EPG (Column 7, lines 42-56) as taught by Kahn in order to control channel authorization in case such as PPV channels or movies with access rights (Column 1, lines 26-31) as disclosed by Kahn.

17. Claims 143 and 144 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florin in view of Eyer and Harvey as applied to claims 1 and 51 above, and further in view of Jeffers et al (US 5,036,537 and hereafter referred to as "Jeffers").

Regarding Claims 143 and 144, Florin, Eyer and Harvey disclose all the limitations of Claims 1 and 51 respectively. Florin discloses a mosaic to display programs in a picture in picture mode to display programming on channels for selection (Figure 33). Harvey discloses viewing of the program is unsuitable via received access rights (Column 14, lines 1-10). Florin, Eyer and Harvey are silent on that the selected program is completely blacked out by the receiver when access rights are not received. Jeffers discloses the selected program is completely blacked out by the receiver when

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access rights are not received (Column 7, lines 12-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include the selected program is completely blacked out by the receiver when access rights are not received (Column 7, lines 12-27) as taught by Kahn in order to control channel authorization in for geographic areas with access rights (Column 1, lines 8-14) as disclosed by Jeffers.

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA E. HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday to Friday 7:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Chris Kelley/
Supervisory Patent Examiner, Art
Unit 2623

FEH
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